

INFORMATION LETTER

Not for
Publication

NATIONAL CANNERS ASSOCIATION

For Members
Only

No. 1283

Washington, D. C.

April 29, 1950

Wage-Hour Exemptions for Fruit and Vegetable Canners

Recent inquiries from canners have indicated that there exists within the industry considerable misunderstanding as to the effect to be given to the 1949 amendments to the wage-hour law. Counsel for the Association has recommended that it be called to the attention of all canners that the processing exemptions available to fresh fruit and vegetable canners have not been changed by the new law, and that all the fruit and vegetable canning exemptions remain as they were prior to the statutory amendments. No limitations on the scope of the 7(b)(3) exemption, which relieves canners from the payment of overtime for hours not in excess of 12 hours a day or 56 hours a week for a period of 14 weeks during a year, or the 7(c) exemption, which provides for a total exemption from overtime for an additional 14-week period, or the 13(a)(10) exemption, which exempts employees engaged in canning within the "area of production," have been introduced by the new amendments.

The Wage-Hour Division of the U. S. Department of Labor will not issue a revised agricultural processing interpretative bulletin for some time. Therefore, N.C.A. plans to publish in the near future a review of existing exemptions and interpretations placed upon them in the past. It is suggested that canners await the issuance of the official interpretative bulletin before instituting any changes in their present wage-hour policies with respect to these exemptions.

Repeal of New York City Business Privilege Tax Approved by Gov. Dewey

Governor Dewey on April 21 signed Senate Int. 1751, thereby enacting into law the bill passed by the New York State Legislature which amends the General City Law under which the City of New York derives its taxing power.

Cities with populations of more than one million have previously been empowered to enact local laws imposing taxes,

"for the privilege of carrying on or exercising for gain, or profit within the City any trade, business, profession, vocation or commercial activity . . . or of making sales to persons within such City."

The amendment deletes the words "to persons" from the taxing authority granted to such cities, thereby requiring that a corresponding change be effected in the language of any local taxing ordinances passed pursuant to this authority.

In the opinion of both the bill's sponsors and Counsel for the Association, the change in language is sufficient to prevent the City of New York from assessing a business privilege tax on sales to New York City buyers by out-of-city food processors

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Canning Industry Represented On Waste Disposal Group

The canning industry will be represented on a National Technical Task Committee on Industrial Wastes by N. H. Sanborn of the N.C.A. Washington Research Laboratory, whose appointment is announced by the Surgeon General of the U. S. Public Health Service. Robert A. Canham, also of the Washington Research Lab, was designated as alternate member for the canning industry.

An organizational meeting of the Task Committee is tentatively sched-

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DuPont Drama on Underwood To Be Broadcast Next Tuesday

The DuPont "Cavalcade of America" program which will dramatize the life of William Underwood, the pioneer commercial canner, will be broadcast next Tuesday evening, May 2, over 152 NBC stations.

At the end of the broadcast, it is brought out that from the early struggles such as Underwood's has developed the important and extensive public service which the present-day canning industry gives.

The leading role on the broadcast will be played by a prominent actor, Lee Bowman.

Canners are urged to bring to the attention of their employees, their suppliers, growers, brokers and buyers the fact that this pioneering canning enterprise will be the subject of a national broadcast on May 2.

Local papers of May 2 will confirm the exact times of the broadcast in each locality:

Eastern Time Zone 8 p.m. Local Time
Central Time Zone 7 p.m. Local Time
Mountain Time Zone 9:30 p.m. Local Time
Pacific Time Zone 8:30 p.m. Local Time

Wage-Hour Recordkeeping

The Wage-Hour Administrator on April 15 proposed amended regulations prescribing the records required to be kept by employers subject to the wage-hour law. For the most part, the proposed revision involves only formal and editorial changes in the existing regulations, but new record-keeping requirements are proposed for employees covered by these new or recently amended sections of the Fair Labor Standards Act.

The proposed changes include new requirements for employees covered by "Belo"-type plans or by guaran-

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Information Letter Deadline

Because of the continuance of the city-wide strike of bindery workers in Washington print shops, the deadline for this issue of the INFORMATION LETTER was moved ahead 24 hours. Late developments of concern to the industry will be reported by special bulletin.

STATISTICS

Tomatoes for Processing

Reports of intentions to plant received early in April from tomato canners and products manufacturers point to a planted acreage somewhat larger than in 1949, according to the Bureau of Agricultural Economics. This is 11 percent more than the 1949 acreage.

Abandonment of planted acreage averaged about 4 percent annually during the past 10 years.

Tomatoes for Processing

State	1949 Intended (acres)	1949 Revised (acres)	1950 Indicated (acres)
New York.....	10,600	10,800	21,800
New Jersey.....	26,800	23,700	25,600
Pennsylvania.....	21,000	21,000	19,300
Ohio.....	25,500	21,900	23,000
Indiana.....	71,900	73,800	95,900
Illinois.....	9,100	9,300	10,900
Michigan.....	8,300	8,300	8,200
Wisconsin.....	1,500	1,600	1,800
Iowa.....	1,800	1,600	1,700
Missouri.....	10,300	7,400	6,400
Delaware.....	11,700	9,000	9,800
Maryland.....	31,000	29,100	36,400
Virginia.....	15,300	15,000	16,500
South Carolina.....	2,800	3,000	3,600
Florida.....	4,000	2,900	3,000
Kentucky.....	3,200	2,700	2,100
Tennessee.....	4,900	3,000	3,300
Arkansas.....	14,800	9,500	8,100
Oklahoma.....	2,000	1,700	1,300
Texas.....	16,700	16,500	17,500
Colorado.....	4,300	3,200	3,300
Utah.....	7,500	6,500	7,400
California.....	85,000	75,440	79,000
Other states ¹	2,790	2,400	3,800
U. S. total.....	401,490	368,540	400,400

¹ Ala., Ariz., Conn., Ga., Ida., Kans., La., Minn., Miss., Nebr., N. M., N. C., Ore., Wash., and W. Va.

Pimientos for Processing

Pimiento processors in Georgia are planning a record acreage of 31,500 acres in 1950, according to the Bureau of Agricultural Economics. This compares with the 24,500 acres planted in 1949 and a 1939-48 average of 13,320 acres.

Cucumbers for Pickles

Pickle packers are planning to reduce their acreage in 1950, the Bureau of Agricultural Economics reports. If intentions are carried out, 122,690 acres will be planted in 1950, or 15 percent less than the 144,670 acres planted in 1949 but still 5 percent above the 1939-48 average of 116,540 acres.

Beets for Canning

Beet canners are planning an acreage about 2 percent larger than that planted last year, according to the Bureau of Agricultural Economics.

Beets for Canning

State	1949 Intended (acres)	1949 Revised (acres)	1950 Indicated (acres)
New York.....	3,800	4,700	4,300
New Jersey.....	1,000	850	800
Michigan.....	1,000	1,260	1,300
Wisconsin.....	6,800	7,900	7,900
Oregon.....	1,600	1,850	2,000
Other states ¹	2,300	2,350	3,000
U. S. total.....	16,500	18,910	19,300

¹ Calif., Colo., Ill., Ind., Iowa, La., Me., Md., Minn., Miss., Ohio, Pa., Tenn., Tex., Utah, and Wash.

Canned Baby Food Stocks

Details of the canned baby food supply, stock and shipment situation, as reported by the Association's Division of Statistics, are presented below:

	1949 (thousands of dozens)	1950
Canner stocks, Jan. 1.....	53,782	55,341
Pack, Jan. through March.....	27,386	23,716
Total supply.....	81,168	81,057
Canner stocks, April 1.....	50,744	49,735
Canner shipments, March.....	10,680	10,569
Canner shipments, Jan. through March.....	30,424	31,322

Canned Fruit and Vegetable Stocks and Shipments

The Association's Division of Statistics has compiled reports on canners' stocks and shipments of canned corn, peas, green and wax beans, tomatoes, tomato juice, catsup, chili sauce, apples, applesauce, apricots, sweet cherries, peaches, and pears. Detailed reports have been mailed to all canners packing these items.

Canned Corn Stocks and Shipments

	1948-49 (actual cases)	1949-50
Carryover, August 1.....	194,469	4,112,712
Pack.....	34,410,040	33,138,318
Total supply.....	34,604,509	37,251,030
Stocks, April 1.....	9,930,430	14,695,082
Shipments during March.....	2,679,000	3,621,153
Shipments, Aug. 1 to April 1.....	24,674,070	22,555,948

Canned Pea Stocks and Shipments

	1948-49 (actual cases)	1949-50
Carryover, June 1.....	7,809,928	4,985,141
Pack.....	24,446,034	24,944,874
Total supply.....	32,255,962	29,930,015
Stocks, April 1.....	8,148,508	4,677,675
Shipments during March.....	2,264,367	2,618,673
Shipments, June 1 to April 1.....	24,107,474	23,252,340

Green and Wax Bean Stocks and Shipments

	1948-49 (actual cases)	1949-50
Carryover, July 1.....	218,582	329,031
Pack.....	14,133,205	19,302,855
Total supply.....	14,351,787	19,631,886
Stocks, April 1.....	1,518,683	4,023,198
Shipments during March.....	740,803	1,363,521
Shipments, July 1 to April 1.....	12,833,124	15,608,688

Tomato Juice Stocks and Shipments

	1948-49 (actual cases)	1949-50
Carryover, July 1.....	3,578,479	5,740,779
Pack.....	23,701,199	20,559,673
Total supply.....	27,279,678	26,300,452
Stocks, April 1.....	10,892,946	8,061,390
Shipments during March.....	1,923,404	2,209,587
Shipments, July 1 to April 1.....	16,386,732	18,239,063

Canned Tomato Stocks and Shipments

	1948-49 (actual cases)	1949-50
Carryover, July 1.....	1,940,713	2,718,555
Pack.....	21,466,888	18,873,673
Total supply.....	23,416,401	21,592,227
Stocks, April 1.....	6,015,093	4,614,439
Shipments during March.....	1,663,530	1,617,757
Shipments, July 1 to April 1.....	17,401,308	16,977,788

Tomato Catsup Stocks and Shipments

	1948-49 (actual cases)	1949-50
Carryover, July 1.....	3,572,834	6,346,425
Pack.....	16,897,311	10,900,407
Total supply.....	20,469,745	17,246,832
Stocks, April 1.....	8,745,456	4,686,905
Shipments, Jan. through March.....	4,650,994	4,162,653
Shipments, July 1 to April 1.....	11,724,389	12,559,927

Chili Sauce Stocks and Shipments

	1948-49 (actual cases)	1949-50
Carryover, July 1.....	748,700	1,037,059
Pack.....	2,544,030	1,360,575
Total supply.....	3,292,730	2,400,634
Stocks, April 1.....	1,705,595	935,438
Shipments, Jan. through March.....	594,244	577,120
Shipments, July 1 to April 1.....	1,527,123	1,471,190

Canned Apple Stocks and Shipments

	1948-49 (cases—basis—8/10's)	1949-50
Carryover, June 1.....	58,821	
Pack.....	4,213,162	
Total supply.....	4,271,983	
Stocks, April 1.....	1,316,222	
Shipments, Feb. and March.....	442,129	
Shipments, June 1 to April 1.....	2,955,761	

Canned Applesauce Stocks and Shipments

	1948-49 (actual cases)	1949-50
Carryover, June 1.....	3,579,727	299,113
Pack.....	4,839,920	8,680,702
Total supply.....	7,419,647	8,980,815
Stocks, April 1.....	(a)	2,871,658
Shipments during March.....	(a)	675,325
Shipments, June 1 to April 1.....	(a)	6,418,137

(a) Not compiled.

Canned Apricot Stocks and Shipments

	1948-49	1949-50
	(cases—basis 84/81½'s)	
Carryover, June 1.....	706,000	1,522,000
Pack.....	4,767,000	2,375,000
Total supply.....	5,473,000	3,897,000
Stocks, April 1.....	2,152,000	954,000
Shipments during March....	298,000	241,000
Shipments, June 1 to April 1	3,321,000	2,943,000

Sweet Cherry Stocks and Shipments

	1948-49	1949-50
	(cases—basis 84/81½'s)	
Carryover, June 1.....	23,000	65,000
Pack.....	839,000	1,678,000
Total supply.....	862,000	1,743,000
Stocks, April 1.....	119,000	480,000
Shipments during March....	42,000	106,000
Shipments, June 1 to April 1	743,000	1,254,000

Canned Peach Stocks and Shipments

	1948-49	1949-50
	(cases—basis 84/81½'s)	
Carryover, June 1.....	1,877,000	3,518,000
Pack.....	17,381,000	10,184,000
Total supply.....	19,258,000	22,652,000
Stocks, April 1.....	5,721,000	6,806,000
Shipments during March....	1,308,000	1,838,000
Shipments, June 1 to April 1	13,537,000	15,846,000

Canned Pear Stocks and Shipments

	1948-49	1949-50
	(cases—basis 84/81½'s)	
Carryover, June 1.....	793,000	758,000
Pack.....	3,993,000	5,904,000
Total supply.....	4,786,000	6,662,000
Stocks, April 1.....	1,398,000	1,576,000
Shipments during March....	402,000	656,000
Shipments, June 1 to April 1	3,388,000	5,116,000

Wholesale Distributor Stocks of Canned Foods

The Bureau of the Census reports a total of about 53,000,000 cases of specified canned foods in the hands of wholesale distributors on April 1. The Census summary of wholesale distributors stocks is shown below:

Wholesale Distributors Stocks of Specified Canned Foods

(Includes Warehouses of Retail Food Chains)

	Total		All sizes smaller than No. 10		Institution sizes, all sizes No. 10 or larger	
	Apr. 1, 1950	Mar. 1, 1950	Apr. 1, 1950	Mar. 1, 1950	Apr. 1, 1950	Mar. 1, 1950
	(thousands of actual cases)					
Vegetables:						
Beans, green and wax.....	3,802	3,736	3,061	2,985	741	751
Corn.....	7,100	6,943	6,511	6,381	589	562
Peas.....	5,936	5,618	5,307	5,006	629	612
Tomatoes.....	4,947	4,999	4,235	4,244	712	755
Asparagus.....	722	N.A.	664	N.A.	58	N.A.
Beans, lima.....	1,479	N.A.	1,321	N.A.	158	N.A.
Beets.....	1,545	N.A.	1,305	N.A.	340	N.A.
Carrots.....	514	N.A.	313	N.A.	201	N.A.
Tomato catsup and chili sauce.....	2,913	N.A.	2,409	N.A.	304	N.A.
Fruits:						
Apricots.....	819	865	680	705	139	109
Fruit cocktail.....	1,662	1,683	1,461	1,479	201	204
Peaches.....	4,303	4,190	3,623	3,457	680	733
Pears.....	1,051	1,008	863	823	188	185
Pineapple.....	3,822	3,940	3,413	3,487	409	453
Applesauce.....	917	N.A.	772	N.A.	145	N.A.
Cherries, red pitted.....	741	N.A.	501	N.A.	240	N.A.
Cherries, sweet.....	468	N.A.	399	N.A.	69	N.A.
Grapefruit segments.....	642	N.A.	629	N.A.	13	N.A.
Plums and prunes.....	396	N.A.	262	N.A.	134	N.A.
Juices:						
Tomato.....	3,508	3,251	3,300	3,066	203	185
Grapefruit.....	1,560	1,563	1,324	1,540	36	23
Orange.....	2,213	2,391	2,182	2,367	31	24
Citrus blend.....	865	854	837	845	8	9
Pineapple.....	1,527	1,660	1,483	1,623	44	37

* Includes fruit for salad and mixed fruits (except citrus). * Includes also vegetable juice combinations containing at least 70 percent tomato juice. N.A.—Not available.

New York City Tax
(Concluded from page 157)

who do not maintain sales offices or stocks of foods within the City. It does not affect the power of New York City to collect taxes from out-of-city canners who do maintain offices or stocks of food within the City, nor does the amendment to the state law affect the power of New York City to demand payment of the taxes for the period prior to the passage of the amendment and subsequent to July 1,

1939, the date on which the local law was amended to apply to out-of-city sellers.

The Association of New York State Canners reports in its bulletin of April 24, however, that the City of New York "has effected a policy to suspend further efforts to collect back taxes for the past 10 years until the Comptroller's Committee on Special Taxes, which is a state-wide committee, has had a full opportunity to study the entire problem."

PERSONNEL

A. S. Hoyt Heads BEPQ

Avery S. Hoyt has been appointed Chief of the Bureau of Entomology and Plant Quarantine in the U. S. Department of Agriculture, effective April 26.

Mr. Hoyt has served as acting chief of the Bureau since the death of Dr. P. N. Annand on March 29. He has been associate chief since 1941.

Industrial Wastes Committee

(Concluded from page 157)

uled May 9-10. The suggested functions of the proposed committee are:

"1. To inventory, appraise, coordinate and promote research and development work on utilization, treatment and control of industrial wastes;

"2. To facilitate securing uniformity in methods of measuring and evaluating trade wastes in water quality control;

"3. To stimulate more effective working relationships on technical phases of the work of improving the quality of waters between industry and federal, state and local governmental agencies;

"4. To help point up the activities on industrial wastes at the Environmental Health Center;

"5. To aid in establishing where major needs exist for any grants in aid for obtaining basic information relative to taking care of the industrial waste problems in water pollution control;

"6. To stimulate further adoption of practical methods now known and to be developed for minimizing and treating wastes in effecting stream improvement;

"7. To secure wide dissemination of information on technical progress and what is being accomplished by various branches of industry, maintaining suitable contacts with technical societies, professional organizations, trade associations and other groups issuing publications that reach those concerned with pollution problems;

"8. To aid in promoting such training activities as necessary to facilitate efficient operation of waste recovery and treatment systems in industry;

"9. To perform such other technical tasks pertaining to industrial effluents as appropriate to stimulate improvement in the quality of the water resources to the nation."

Board and Dedication Schedule of Events

To assist members in their planning of trips to Washington to attend the Board, Council and Committee meetings or Dedication Ceremonies, or both, the following tentative schedule of principal events is published. As plans are more fully completed, additions may be made to this schedule in future issues of the INFORMATION LETTER.

Monday, June 5

- 9:30 a.m.—Labeling Committee, Main Conference Room, New N.C.A. Building, 1133 20th Street, N. W.
2 p.m.—Buildings Committee, Main Conference Room, New Building

Tuesday, June 6

- 9:30 a.m.—Budget Committee, Secretary's Office, New Building
9:30 a.m.—Washington Laboratory Committee, 2nd Floor Conference Room, New Building
11 a.m.—Administrative Council, Main Conference Room, New Building
2 p.m.—Procurement Committee, Library, New Building
7 p.m.—Association of Cannery State and Regional Secretaries, Dinner Meeting, Pan-American Room, Mayflower Hotel

Wednesday, June 7

- 9:30 a.m.—Board of Directors, Main Conference Room, New Building
12:30 p.m.—Board Luncheon (includes Administrative Council, Committee members and State Secretaries), Blue Room, Shoreham Hotel
2 p.m.—Board of Directors (afternoon session)—Blue Room, Shoreham Hotel
5 p.m.—Cocktail Party, home of Secretary and Mrs. Carlos Campbell, 1607 S. Arlington Ridge Road, Arlington, Va.

Thursday, June 8

- All Day—New Building open for inspection by visitors
10 a.m.—Ceremonies at New Building where keys are turned over to President Henry P. Taylor by Eastern Building Subcommittee
11 a.m.—Unveiling of oil portrait, Frank E. Gorrell, with remarks by Frank M. Shook, representing the donors, the Association of Cannery State and Regional Associations
12:30 p.m.—Dedication Luncheon, Ballroom, Mayflower Hotel, Master

of ceremonies—John F. McGovern; speakers: Dr. C. G. King, Scientific Director, Nutrition Foundation, and Albert Kennedy "Roay" Rowsell, lecturer and broadcaster

Rooms for Board Members

The Association is able to handle room reservations only for Board, Council, Committee members, and State Secretaries coming on N.C.A. business. These can be made only in the Mayflower, Shoreham and Roger Smith Hotels. As is the practice, expenses are being met by the Association for those who are coming to Washington on official N.C.A. business; it is unable to do so for those coming only for the Dedication Ceremonies.

Invitations to the Dedication Ceremonies have been mailed to all member-canners, contributors to the Buildings Fund from the ranks of suppliers, to individual cannery who make up the Board of Directors and Administrative Council, N.C.A. Committee members, who will be in Washington on June 6 and 7 on Association business, and to the state and regional secretaries. Many acceptances have been returned, but others are still to be heard from and it is important that the reply cards for all who are planning to attend the ceremonies be sent in to Association headquarters at once (by May 8 at the latest) since it is planned to publish the names and the table locations for the luncheon in a souvenir program.

RAW PRODUCTS

Federal Seed Act Regulations

Amendments to the Federal Seed Act Regulations, to be effective July 1, were issued this week by the U. S. Department of Agriculture.

The amendments (1) bring seed testing methods under the Federal Seed Act in line with methods approved by the Association of Official Seed Analysts at Corvallis, Ore., last July, and (2) make adjustments in germination standards, including a reduction from 75 to 70 percent for Rival, Topcrop, and Logan varieties of garden beans.

Wage-Hour Recordkeeping

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teed annual wage agreements; for employees paid overtime on the basis of the piece, or hourly applicable to the particular type of work done during the overtime hours; and for employees paid overtime on the basis of an agreed-upon rate substantially equivalent to their average hourly earnings.

The proposed regulations are to issue in final form on May 1. The Wage and Hour Division plans a further over-all review of the substantive requirements of the record-keeping regulations in the near future, with a view to simplification and clarification and for the purpose of increasing their effectiveness in the light of enforcement experience.

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